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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SYLVIA LEYS, an individual,  
  
Plaintiff,

vs.

WAL-MART STORES, INC., dba WAL-MART  
STORE #4356 a foreign corporation; DOES I  
through XXX, inclusive and ROE BUSINESS  
ENTITIES I through XXX, inclusive,  
  
Defendants.

Case No.: 2:17-cv-02196-APG-VCF

**STIPULATION AND ORDER TO  
EXTEND PRE-TRIAL ORDER  
DEADLINE  
(FOURTH REQUEST)**

Plaintiff SYLVIA LEYS (“Plaintiff”), and Defendant WAL-MART STORES, INC.  
 (“Defendant”), by and through their undersigned counsel of record, hereby stipulate to an extension of  
 pre-trial order deadline, pursuant to LR 6-1 and LR 26-4. This is the parties’ fourth stipulation to  
 extend time for pre-trial order deadlines. The current deadlines are:

- (1) Initial expert disclosures: CLOSED
- (2) Amending pleadings or adding parties: CLOSED
- (3) Rebuttal expert disclosures: CLOSED
- (4) Interim Status Report: CLOSED
- (5) Discovery cutoff: CLOSED
- (6) Dispositive motions: CLOSED
- (7) Pretrial order: Thursday, January 10, 2019

1 **I. DISCOVERY COMPLETED TO DATE**

- 2
- The parties have conducted an FRCP 26(f) conference;
  - 3 • The parties have served and exchanged their respective FRCP 26(a) initial disclosures
  - 4 and supplements thereto;
  - 5 • Plaintiff has served written discovery requests to Defendant, and Defendant timely
  - 6 served its responses and objections to the same;
  - 7 • Defendant has served written discovery requests to Plaintiff, and Plaintiff timely served
  - 8 her responses and objections to the same;
  - 9 • Each party has made their respective expert disclosures;
  - 10 • Plaintiff has taken depositions of fact witnesses, including Walmart employees Marlen
  - 11 Hughes, Drake Jenkins, and Dennis Dellere;
  - 12 • Defendant has taken the deposition of Plaintiff's expert John Peterson;
  - 13 • Defendant has taken the depositions of Plaintiff's treating providers Dr. Mortillaro and
  - 14 Dr. Grover;
  - 15 • Plaintiff has taken the deposition of Defendant's 30(b)(6) designee Jeremiah Wood;
  - 16 • Defendant has taken the deposition of Plaintiff;
  - 17 • Plaintiff continues to request medical records from Plaintiff's providers and continues
  - 18 to request updated records on an ongoing basis as Plaintiff continues to treat;
  - 19 • Defendant has obtained executed authorizations from Plaintiff and has subpoenaed
  - 20 records from Plaintiff's providers and continues to subpoena updated records on an
  - 21 ongoing basis as Plaintiff continues to treat;
  - 22 • Parties participated in mediation on January 9, 2019.
- 23

24 ...

25 ...

26 ...



1 **II. DISCOVERY YET TO BE COMPLETED**

- 2 • Completion of the deposition of Plaintiff's treating provider, Dr. Grover, currently
- 3 scheduled for January 11, 2019;
- 4 • Request Plaintiff's updated medical records, including records relating to Plaintiff's
- 5 shoulder surgery performed January 10, 2019.

6 **III. GOOD CAUSE NECESSITATING EXTENSION**

7 The parties aver that good cause exists for the request pursuant to Local Rule 6-1. Dr. Grover's

8 continued deposition has not yet been conducted and is scheduled for January 11, 2019. Plaintiff also

9 underwent shoulder surgery on January 10, 2019. Parties participated in mediation on January 9, 2019

10 and were unsuccessful in reaching a resolution. As such, the parties have cordially agreed, pending

11 this Court's approval, that an extension of the current pretrial order deadline is appropriate. Parties

12 hereby respectfully request that the deadline for filing the Joint Pretrial Order be extended from

13 January 10, 2019 to January 17, 2019. The parties submit that this brief extension of time will have no

14 material impact on this litigation, and is sought by party counsel in good faith and for legitimate

15 purpose.

16 **IV. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY**

17 The parties hereby submit the following proposed schedule for completing all remaining

18 discovery:

- 19 (1) Initial expert disclosures: CLOSED
- 20 (2) Amending pleadings or adding parties: CLOSED
- 21 (3) Rebuttal expert disclosures: CLOSED
- 22 (4) Interim Status Report: CLOSED
- 23 (5) Discovery cutoff: CLOSED
- 24 (6) Dispositive motions: CLOSED
- 25
- 26



(7) Pretrial order: **Thursday, January 17, 2019**

DATED this 10<sup>th</sup> day of January, 2019.

**LADAH LAW FIRM**

*/s/ Ramzy P. Ladah, Esq.*

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*Attorneys for Plaintiff Sylvia Leys*

DATED this 10<sup>th</sup> day of January, 2019

**PHILLIPS SPALLAS & ANGSTADT, LLC**

*/s/ Alyce Foshee, Esq.*

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*Attorneys for Defendant Wal-Mart Stores, Inc.*

**ORDER**

Based upon the foregoing Stipulation to Extend Pre-Trial Order Deadline:

1. The deadline for filing the pretrial order shall be extended to **Thursday, January 17, 2019.**
2. All other discovery and pre-trial deadlines shall remain unchanged.

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: 1-11-2019

LADAH LAW  
FIRM

